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RUEHNE/AMEMBASSY NEW DELHI PRIORITY 5363
RUEHFR/AMEMBASSY PARIS PRIORITY 0922
RUEHUL/AMEMBASSY SEOUL PRIORITY 5057
RUEHKO/AMEMBASSY TOKYO PRIORITY 1183
RUEHWL/AMEMBASSY WELLINGTON PRIORITY 2511
RUEHGV/USMISSION GENEVA PRIORITY 2078
RUCNDT/USMISSION USUN NEW YORK PRIORITY 5402
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C O N F I D E N T I A L SECTION 01 OF 02 BANGKOK 003376

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TAGS: [PREL](#) [PGOV](#) [PBTS](#) [TH](#) [CB](#)
SUBJECT: PROGRESS IN THAI-CAMBODIAN BORDER TALKS

REF: A. BANGKOK 3366
[1](#)B. BANGKOK 3234
[1](#)C. BANGKOK 3227
[1](#)D. BANGKOK 2487

Classified By: Acting Deputy Chief of Mission Robert D. Griffiths, reas
ons 1.4 (b) and (d)

[1](#)1. (C) Summary: Thai and Cambodian Foreign Ministers agreed November 12 to a series of measures that will initiate the process of delineating disputed border areas. The two sides prioritized settling overlapping claims adjacent to the Preah Vihear temple for survey work scheduled to begin in December. Separately, Thailand's counter corruption body decided November 13 that members of former Prime Minister Samak's cabinet allegedly violated Article 190 of the Constitution. The decision stems from the Cabinet's endorsement earlier this year of a Thai-Cambodian joint communique supporting Cambodia's application to list Preah Vihear as a World Heritage site.

[1](#)2. (C) Comment. The recent calm in the vicinity of Preah Vihear and the agreements worked out this week are positive signs. For the time being at least both sides appear to understand that heightened tensions or further clashes would not serve their interests in resolving the dispute. Nonetheless, the agreements this week concern process and do not touch upon the most sensitive issues. Difficult decisions, such as compromise on overlapping claims in the 4.6 square kilometer disputed territory in the vicinity of Preah Vihear temple, remain unaddressed and could lead to a prolonged, contentious negotiation. The counter corruption commission's finding against the Samak cabinet underscores the restrictions that the Thai government must contend with and points to what will likely be another impediment to quick resolution of the dispute. It is not yet clear whether the commission's finding will result in indictments. End summary and comment.

PROCEDURAL PROGRESS IN BORDER DELINEATION TALKS

[1](#)3. (U) Thai and Cambodian negotiators made progress in

setting up mechanisms to delineate their disputed border during November 10-11 Joint Border Commission (JBC) meetings in Siam Reap, Cambodia. Thai Foreign Minister Sompong Amornvivat and Cambodian Foreign Minister Hor Namhong November 12 endorsed the JBC measures but could not agree on the name to use in referring to the temple in official documents. Thai officials insisted on using both the Thai (Phra Viharn) and Khmer name (Preah Vihear) for the temple because the Thai Parliament had used only the Thai name in approving the border talks. Cambodian officials maintained that the temple is internationally recognized by its Khmer name and should therefore be called that name. Sompong said publicly that consultation with the Thai Parliament is required before proceeding on the issue of the name.

14. (U) The two sides agreed to prioritize delineating the disputed border area adjacent to Preah Vihear temple, work together to reduce troops in the temple area, and to use the 1904 and 1907 Siam-French treaties to help resolve the border dispute. Hor Namhong and the chief Thai negotiator, Vasin Teeravechyan, said publicly that joint surveying teams would begin work to delineate the border around Preah Vihear temple in mid-December. The two sides agreed to hold the next round of JBC talks in January and to set up a temporary coordinating task force to reduce the risk of further border clashes.

15. (C) Mongkol Visittump, Counselor in the Department of East Asian Affairs at the Thai Foreign Ministry, told us the meetings went well and much progress was made in determining

BANGKOK 00003376 002 OF 002

the relevant treaties and documents -- most importantly the 1904 and 1907 Siam-French treaties concerning the border -- to be used in future negotiations. Mongkol said that priority would be placed on surveying the area around the Preah Vihear temple in order to re-establish boundary posts that had been set by a French-Siamese Mixed Commission during 1904-1907. (Note: 73 markers were originally placed along what is now the Thai-Cambodian border. MFA Permanent Secretary Virasakdi Futrakul previously told the Ambassador that only 50 markers remain (Ref C). End note.)

16. (C) Mongkol said the temporary coordinating task force would include representatives from various agencies and would try to forge an agreement to re-deploy troops away from the pagoda inside the Preah Vihear and from the temple grounds. The Royal Thai Army's Second Army Regional Commander Lieutenant General Wiboonsak Nepal and the Cambodian Fourth Army Commander would lead these discussions, Mongkol said.

NCCC FINDING ON FORMER CABINET OVER PREAH VIHEAR

17. (U) Separately, the Thai National Counter Corruption Commission (NCCC) November 13 found fault with the actions of 28 members of former Prime Minister Samak Sundaravej's cabinet for allegedly violating Article 190 of the Constitution in endorsing a communique that supported Cambodia's bid to list Preah Vihear Temple as a World Heritage site. Samak and former Foreign Minister Noppadon Pattama were among those subject to this decision; their alleged offense was that they participated in a Cabinet meeting that decided to endorse the agreement signed by Noppadon and Cambodia's Deputy Premier Sok An rather than to submit the communique to Parliament for approval. It is not yet clear whether the NCCC decision will result in formal indictments by prosecutorial authorities against any or all concerned.

JOHN